

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY
Caption in Compliance with D.N.J. LBR 9004-1(b)
Denise Carlon, Esquire
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Attorneys for Secured Creditor
U.S. Bank National Association, as Trustee for Asset
Backed Funding Corporation Asset Backed Certificates,
Series 2006-HE1

In Re:
Michael Waite, Sandra Waite

Debtors.



Order Filed on March 5, 2021
by Clerk
U.S. Bankruptcy Court
District of New Jersey

Case No.: 19-16775 CMG

Adv. No.:

Hearing Date: 3/3/2021 @ 9:00 a.m.

Judge: Christine M. Gravelle

**ORDER CURING POST-PETITION ARREARS & RESOLVING MOTION FOR
RELIEF FROM STAY**

The relief set forth on the following pages, numbered two (2) through two (2) is hereby
ORDERED.

DATED: March 5, 2021

A handwritten signature in cursive script, reading "Christine M. Gravelle".

Honorable Christine M. Gravelle
United States Bankruptcy Judge

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Debtors: Michael Waite, Sandra Waite

Case No: 19-16775 CMG

Caption of Order: ORDER CURING POST-PETITION ARREARS & RESOLVING MOTION FOR RELIEF FROM STAY

This matter having been brought before the Court by KML Law Group, P.C., attorneys for Secured Creditor, U.S. Bank National Association, as Trustee for Asset Backed Funding Corporation Asset Backed Certificates, Series 2006-HE1, Denise Carlon, Esq. appearing, upon a motion to vacate the automatic stay as to real property located at 316 University Road, Pemberton, NJ, 08068, and it appearing that notice of said motion was properly served upon all parties concerned, and this Court having considered the representations of attorneys for Secured Creditor and Joel R. Spivack, Esq., attorney for Debtors, and for good cause having been shown

It is **ORDERED, ADJUDGED and DECREED** that as of February 5, 2021 Debtors are in arrears outside of the Chapter 13 Plan to Secured Creditor for payments due December 2020 through February 2021 for a total post-petition default of \$3,690.36 (3 @ \$1,821.19, less suspense \$1,773.21); and

It is further **ORDERED, ADJUDGED and DECREED** that the balance of the arrears in the amount of \$3,690.36 will be paid by Debtors remitting \$615.06 for per month for six months in addition to the regular monthly mortgage payment, which additional payments shall begin on March 1, 2021 and continue for a period of six months until the post-petition arrears are cured; and

It is further **ORDERED, ADJUDGED and DECREED** that regular mortgage payments are to resume March 1, 2021, directly to Secured Creditor's servicer, SPS, Inc. P.O. Box 65450, Salt Lake City, UT 84165 (Note: the amount of the monthly mortgage payment is subject to change according to the terms of the note and mortgage); and

It is further **ORDERED, ADJUDGED and DECREED** that for the Duration of Debtor's Chapter 13 bankruptcy proceeding, if the lump sum payment or any regular monthly mortgage payments are not made within thirty (30) days of the date said payment is due, Secured Creditor may obtain an Order Vacating Automatic Stay as to Real Property by submitting a Certification of Default to the Court indicating such payment is more than thirty days late, and Debtor shall have fourteen days to respond; and

It is further **ORDERED, ADJUDGED and DECREED** that a copy of any such application, supporting certification, and proposed Order must be served on the Trustee, Debtor, and Debtor's counsel at the time of submission to the Court; and

It is further **ORDERED, ADJUDGED and DECREED** that Secured Creditor is hereby awarded reimbursement of fees and costs in the sum of \$350.00 for attorneys' fees and \$188.00 for filing fees, totaling \$538.00, which is to be paid through Debtors' Chapter 13 plan and motion for relief is hereby resolved.

In re:
Michael Waite
Sandra Gay Waite
Debtors

Case No. 19-16775-CMG
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-3
Date Rcvd: Mar 05, 2021

User: admin
Form ID: pdf903

Page 1 of 2
Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Mar 07, 2021:

Recip ID	Recipient Name and Address
db/jdb	+ Michael Waite, Sandra Gay Waite, 316 University Avenue, Pemberton, NJ 08068-1757

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Mar 07, 2021

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on March 5, 2021 at the address(es) listed below:

Name	Email Address
Albert Russo	docs@russotrustee.com
Denise E. Carlon	on behalf of Creditor U.S. Bank National Association as Trustee for Asset Backed Funding Corporation Asset Backed Certificates, Series 2006-HE1 dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com
Joel R. Spivack	on behalf of Joint Debtor Sandra Gay Waite joel@spivacklaw.com admin@spivacklaw.com;r44331@notify.bestcase.com
Joel R. Spivack	on behalf of Debtor Michael Waite joel@spivacklaw.com admin@spivacklaw.com;r44331@notify.bestcase.com
Rebecca Ann Solarz	on behalf of Creditor U.S. Bank National Association as Trustee for Asset Backed Funding Corporation Asset Backed Certificates, Series 2006-HE1 rsolarz@kmlawgroup.com

District/off: 0312-3

User: admin

Page 2 of 2

Date Rcvd: Mar 05, 2021

Form ID: pdf903

Total Noticed: 1

U.S. Trustee

USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 6